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**WISCONSIN DEPARTMENT OF
REGULATION & LICENSING**



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**PHARMACY EXAMINING BOARD MEETING
1400 East Washington Avenue - Madison, WI
Room 121AB
June 2, 2010
Contact: Gail Sumi (608) 266-8098**

Note: The Full Board Meeting Starts at 9:00 a.m., after the Screening Panel. The full Board meeting agenda is attached.

**8:30 A.M.
SCREENING PANEL
Amy Mattila, Suzette Renwick and Greg Weber**

OPEN SESSION

A. Approval of Agenda

CONVENE TO CLOSED SESSION to consider the investigation of charges against licensees (Wis. Stat. § 19.85 (1) (b)) and to consider financial, medical, social or personal histories or disciplinary data or the investigation of charges against specific licensees (Wis. Stat. § 19.85 (1) (f))

Screen informal complaints

CONVENE TO OPEN SESSION

Vote on items considered in closed session if voting is appropriate

ADJOURNMENT

The following agenda describes the issues that the Board, Council, Committee or Section plans to consider at the meeting. At the time of the meeting items may be removed from the agenda. Please consult the meeting minutes for a description of the actions and deliberations of the Board, Council, Committee or Section.

**FULL BOARD MEETING
9:00 A.M.**

OPEN SESSION – CALL TO ORDER – ROLL CALL

A. Approval of Agenda

B. Approval of April 7, 2010 meeting minutes

Presentation of proposed stipulation, final decision and order in the matter of disciplinary proceedings in case number 09 PHM 035, Michael F. Jensen, R.Ph. by Attorney Sandra Nowack – Case Advisor – Jason Walker Crawford

Presentation of stipulations received in the Bureau after mailing of the agenda

Presentation of remedial education cases received in the Bureau after mailing of agenda

C. Administrative Report

- Board Member Update
- DRL Staff Update
- DRL Case Advisor Policy
- Update of Board Web Pages on DRL Website – (Please print out relevant pages, critique and provide a hard copy to Board Staff.)

D. Appearance 9:25 a.m. – Dennie Peterson, Complaint Intake Supervisor, DOE - Request to Delegate Screening of Some Complaints to Division of Enforcement Complaint Intake Staff

E. Speaking Engagements and Travel

- Report on the National Association of Boards of Pharmacy (NABP) 106th Annual Meeting – May 22-25, 2010 – Anaheim, CA – Amy Mattila
- Report on Presentation to UW Madison DPH-4 Class, April 26, 2010 by Jason Walker Crawford
- Consideration of Establishing Board Policy Related to Timeliness of Speaking Engagement Requests – Possibly Requiring Requests 90 Days in Advance

Speaking engagement and travel requests and reports received in the Bureau after mailing of agenda

F. Legislative Liaison Report – Jason Walker-Crawford

- 2009 Wisconsin Act 362, relating to directing the Pharmacy Examining Board to create a program to monitor the dispensing of prescription drugs and requiring the exercise of rule-making authority – Signed by Governor Doyle on May 18, 2009
- Assembly Bill 506, relating to substitutions by pharmacists dispensing epilepsy drugs - as of May 12, 2010 – failed to pass.
- Assembly Bill 651, relating to the wholesale distribution of prescription drugs - as of May 12, 2010 – failed to pass.
- Assembly Bill 653, relating to expedited partner therapy – Companion bill SB 460 passed and signed by the Governor on 5-11-10 – 2009 Wisconsin Act 280.
- Senate Bill 180, relating to granting prescriptive authority to psychologists - as of May 12, 2010 – failed to pass.
- Senate Bill 198, relating to donating drugs and dispensing donated drugs - as of May 12, 2010 – failed to pass.
- Senate Bill 402, relating to authorizing certain optometrists to dispense contact lenses that deliver a therapeutic pharmaceutical agent – companion bill AB 591 passed and signed by the Governor on 3-15-10 – 2009 Wisconsin Act 168.
- Assembly Bill 877, relating to duties of physicians and of the Medical Examining Board – signed by the Governor on May 18, 2010, Wisconsin Act 382
- Other

G. Review and Consideration of Regulatory Digest – Greg Weber

H. Review and Update of Correspondence with US Attorney General Holder regarding Long Term Care Facilities and DEA Registration

Scope Statement – Increasing internship hours and various other changes

I. Summary Reports on Administrative Rules

J. Board Review of Current and Future Rulemaking and Legislative Initiatives – Discuss and Set Priorities

Variance requests and reports including any received in the Bureau after mailing of the agenda

K. Variance Reports – Morton Pharmacy

- Technician ratio request

L. Variance Reports – Mercy Health System

- Pharmacist Final Check Variance Request

Appearances from requests received or renewed after mailing of the agenda

M. Applications

- **Appearance 10:30 a.m.** JAT Pharmacy, LLC – Pharmacy Application
- **Appearance 10:40 a.m.** Delora Pufall – NAPLEX Application

Application issues received in the Bureau after mailing of agenda

N. Education and Examination Issues

- **Appearance 10:50 a.m.** – Gary Plank, Pharm.D., Corporate Director of Pharmacy Services Marshfield Clinic and Marshfield Staff - Review of Marshfield Clinic Technician Training Classes for Technicians Working at Remote Dispensing Sites

Education and examination issues received in the Bureau after mailing of agenda

Wis. Stat. s. 450.073 (3) - Track and Trace Technology – Board discussion

O. Practice Questions

- Practice Questions Responded to by Legal Counsel or Practice Question Liaison Either Posted or Ready for Posting on the DRL Website
 - Drug Disposal and Returns

Practice Questions received in the Bureau after mailing of the agenda

DOE Inspection Liaison Report – Amy Mattila

Credentialing Liaison Report – Timothy Boehmer

Quality Review Council Report – Jeanne Severson

P. Review and Consideration of Items Related to the Prescription Drug Monitoring Program (PDMP) for Future Wisconsin PDMP Rulemaking

Appearances 11:30 a.m. - Informational Presentations on PDMPs

- Cody Wiberg, Pharm.D., M.S., R.Ph., Executive Director, MN Board of Pharmacy
- Garry Moreland, RPh., Practicing Pharmacist, Illinois
- Tom Engels, Vice President of Public Affairs, Pharmacy Society of Wisconsin
- Discussion on How to Structure the PDMP Work for Future Meetings
- Consideration of Designating Two or More Board Members as the Main Contact for the PDMP Grant Writing Consultant

State Council on Alcohol and Other Drug Abuse (SCAODA) Report – Pamela Phillips
Report from National Association of Boards of Pharmacy (NABP) Committee on Law Enforcement/Legislation – Amy Mattila

Q. Drug Enforcement Administration Monthly Drug Theft and Loss Reports

Review and Possible Consideration of DEA Rules Related to E-Prescribing of Controlled Substances (Please bring the copy you received at the April meeting with you.)

Informational Items

Public Comments

CONVENE TO CLOSED SESSION to deliberate on case(s) following hearing (Wis. Stat. § 19.85 (1) (a)); consider closing disciplinary investigation(s) with administrative warning(s) (Wis. Stat. § 19.85 (1) (b) and 440.205); to consider individual histories or disciplinary data (Wis. Stat. § 19.85 (1) (f)); and to confer with legal counsel (Wis. Stat. § 19.85 (1) (g))

R. Deliberation of proposed stipulation, final decision and order in the matter of disciplinary proceedings in case number 09 PHM 035, Michael F. Jensen, R.Ph. – Case Advisor – Jason Walker Crawford
Deliberation of stipulations, final decisions and orders that may be received in the Bureau after preparation of the agenda

Deliberation of monitoring reports that may be received in the Bureau after preparation of agenda

Deliberation of proposed decisions that may be received in the Bureau after preparation of the agenda

Deliberation of remedial education cases received in the Bureau after preparation of the agenda

S. Case Closings

- Consider Closing Case 09 PHM 064

Consider closing(s) of disciplinary investigation(s) with administrative warning(s) that may be received in the Bureau after preparation of the agenda

Consider or review of administrative warning(s) received in the Bureau after preparation of the agenda

Matters relating to costs received in the Bureau after preparation of the agenda

T. Monitoring

- **APPEARANCE 1:45 p.m.** – Scott D. Isaacson – Requesting Reinstatement of License
- Bonny M. Kimball – Requesting Modification
- Robert J. Kunde – Requesting Modification

Division of Enforcement – meeting with individual Board members

Division of Enforcement – case status reports and case closings

Consulting with Legal Counsel

U. Application Review

- Re-Registration Application Review – Cecile E. Bianco
- Re-Registration Application Review – James A. Laughlin
- Endorsement Application Review – Stephen M. Otis
- Application Review – JAT Pharmacy
- Request related to NAPLEX Exam – Delora Pufall

Review of applications that may be received in the Bureau after preparation of agenda

Examination issues received in the Bureau after preparation of the agenda

Application issues received in the Bureau after preparation of the agenda

Appearances from requests received or renewed after mailing of the agenda

RECONVENE INTO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

Voting on items deliberated or considered in closed session if voting is appropriate

ADJOURNMENT

MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC UNLESS OTHERWISE NOTED. IF A BOARD ADJOURNS TO CLOSED SESSION, RECONVENES IN OPEN SESSION TO VOTE ON ITEMS

CONSIDERED IN CLOSED SESSION, AND DURING VOTING DETERMINES THAT ADDITIONAL DELIBERATIONS ARE NECESSARY FOR VOTING, THE BOARD MAY ADJOURN TO CLOSED SESSION TO CONTINUE DELIBERATIONS AND THEN RECONVENE INTO OPEN SESSION FOR VOTING.

Meetings and hearings may be cancelled without notice. Times listed for meeting items are approximate and depend on the length of discussion and voting. The board may also consider in closed session, stipulations filed after the printing of this notice. Meetings may be confirmed by a telephone call to the listed contact person. Examinations are open only to authorized candidates. Times listed for the commencement of disciplinary hearings may be changed by the examiner for the convenience of the parties. All meetings are held at 1400 East Washington Avenue, Madison, Wisconsin, unless otherwise noted. For a complete copy of the board's agenda, contact the board listed above. Interpreters for the hearing impaired provided on request. Contact the Affirmative Action Officer, (608) 266-2112.